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Monday May 2nd 1836

State of Miſsouri Towit:

On the first monday after the fourth Monday of April (it being the Second day of May) in the year of our Lord one thousand Eight hundred and thirty Six, and being the day appointed by law for holding the Supreme Court, for the first Judicial District of said State, the Judges thereof not attending at the Court house, the Court Stood adjourned until tomorrow.

Tuesday May 3rd 1836

This day neither of the Judges of this Court having attended the Court again Stood adjourned until tomorrow.

Wednesday May 4th 1836

At a Supreme Court begun & held at the town of Fayette within & for the First Judicial District of the State of Miſsouri on Wednesday the fourth day of May in the Year of our Lord one thousand Eight hundred and thirty Six – Were present,

The Hon. Matthias McGirk & } a quorum of the
George Tompkins } Judges –

Gray Bynum Clerk & Alfred W Morrison Sheriff –

Gray Bynum having produced Satisfactory Evidence of his Election and Qualification as Clerk of the Circuit Court for the County of Howard in the State of Miſsouri he is admitted as Ex Officio Clerk of the Supreme Court for the first Judicial District of said State –

Gray Bynum Clerk of this Court appoints Sarshel Bynum his Deputy Clerk of said Court, which appointment is approved, Whereupon the said Sarshel Bynum

Wednesday May 4th 1836

took an oath to Support the Constitution of the United States and the Constitution of the State of Missouri and faithfully to demean himself in office as Deputy Clerk, So long as he shall exercise the duties of said office.

John A Gordon Esquire makes application for a License to practice Law in the Several Courts of Record of this State and having made proof of good Moral Character he is admitted to an examination.

Thomas Hardwick &
James Curl, appellants
vs } On appeal
William Mann

The appellants by their attorneys file their assignment of Errors

Achilles Rogers
vs } In Error
John Peyton

The plaintiff in Error by his attorney files his assignment of Errors

John Wilson appellant
vs } appeal
Hugh Martin & others

The said appellant files his assignment of Errors –

Elias M. Bean &
Thomas Hickman
vs } In Error
Frederick A Bryan

The plaintiffs in Error by their attorney file their assignment of Errors –

Wm G. Wilson appellant
vs } on appeal
Turner L Brown

The appellant by his attorney files his assignment of Errors –

John B Anderson appellant
vs } Appeal
Goodman Oldham

On motion of the appellant

Wednesday May 4th 1836—

by his attorney it is ordered that a Writ of Scire=facias issue, to Catharine Oldham administratrix of the Estate of Goodman Oldham Deceased, to bring her into this Court, as a party to this Suit — and the Cause is ordered to be continued —

The Court then adjourned until tomorrow morning 8. OClock —

Thursday May 5th 1836 —

The Court met pursuant to adjournment.

John A Gordon Esquire who made application to this Court for License to practice law in the Several Courts of Record in this State & produced Evidence of his good Moral Character, and having been Examined by the Judges of this Court, & being found duly qualified; it is ordered that he be licensed to practice law in the Several Courts of this State Which license is now here signed by the Court, and the said John A. Gordon took the Oaths prescribed by law.

Silas King, appellant
vs } On appeal
Skyler Slam apee

The appellant by his attorney files his assignment of Errors —

James Dempsey
vs } Error
James Harrison &
Wm Glasgow

The plaintiff in error by his attorney files his assignment of Errors and the Defendants by their attorney join in Error

Curl & Hardwick apts
vs } On appeal
William Mann

The said appellants by their attorney file their assignment of Errors —

Thursday May 5th 1836

Wm. G. Wilson apt
vs } On appeal
Turner & Brown apes } The appellees by their attorney join in error

Jacob Baker appellant
vs } On appeal
John Welch appellee } Now at this day come the parties aforesaid by their respective attornies aforesaid; Whereupon all and singular the premises are by them before the Court now here fully argued and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

John Miller & others, appellants
vs } On appeal
Robert W. Wells } The said appellants by their attorney file their motion & move the Court for an alias writ of Certiorari, directed to the Clerk of the Saline Circuit Court, commanding him to correct the transcript of the record in this cause, because the same is imperfect —

The Honorable Robert Wash, one of the Judges of this Court, this day appeared & took his Seat.

Achilles Rogers
vs } Error
John Peyton } The Defendant in Error by his attorney joins in Error —

Charles McLean appellant
vs } On appeal
John Thorp, apee } Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises are by them

Thursday May 5th 1836

before the Court now here fully argued & the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon

James Marsh
vs. } In Error
Turner & Lisle

Now at this day come the parties aforesaid by their respective attornies aforesaid; Whereupon all and singular the premises are by them before the Court now here fully argued & the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until tomorrow morning 8, OClock

Friday May 6th 1836

The Court met pursuant to adjournment.

Silas King appellant
vs. } On appeal
Skuler Storm &c

The appellee by his attorney joins in Error.

Thomas Griffith & others
vs. } In Error
The Bank of the Commonwealth of Kentucky

Now at this day come the said Defendant by his attorney; Whereupon all and singular the premises are by the said Defendant before the Court now here fully argued, and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

Fulton 8th Jany 1839

The Clerk of the Supreme court
at Boonville —

Dear Sir

You will please make out a copy of the record in the case of the Commonwealths bank of Ky vrs Thomas Griffith, Elisha McClellan & Thomas W Collier, and forward it so properly authenticated to the Hon John J Crittenden of the U S. senate at Washington City D. C

— The object of the bank is an endeavour to give to the Federal court jurisdiction of the case;= It is therefore of the first importance that you use precision in the style of the suit, and let it be a full record of the proceedings

in both courts;= Mr Crittenden of Ky
is the banks atty at Washington. I
therefore wish it sent to him;= through
the suit in this state —— There is
an arrangement between the bank &
myself by which I am to pay the fees
;= From my disposition & ability to do so

I refer you to my friends Mr Hayden
of your Town and to Doct Buckner
of the neighbourhood — Please
send it on as early as practicable, as
I am admonished to be in haste

—— When properly authenticated, en
= close it and address it to the Hon
John J Crittenden = U.S. Senate = Washington
City = D.C — Please advise me of its being
sent on, and how I shall remit you your
fee — I am very respectfully —

Your obt. servt
Wm Henry Russell

The Clerk of the Supreme court
Boonville
Cooper County
Mo

Mr Hix }

Jno H Johnson
Wm Brickell

Friday May 6th 1836

James A Reaves
vs In Error
David P. Mahan

This Cause is ordered to be continued until the next term of this Court

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John Wilson appellant
vs On appeal
Hugh Martin & others

The Said Defendants by their attorney file their Motion & move the Court to affirm the Judgm of the Circuit Court, or dismiss the appeal, because th appellant has not assigned Errors as required by law, or rul of this Court; which Motion being seen & heard & by the Court here fully understood it is Considered that the Same be overruled — & thereupon the Said appellant Suggests to the Court here the Death of Hugh Martin one of the appellees, & the Cause is ordered to be continued —

Joseph Smith &
Andrew Polk
vs
James Tanner

By consent of the parties by their attornies this Cause is ordered to be continued until the next term of this Court.

John Miller & others apts
vs On appeal
Robert W Mills appellee

On Motion for Certiorari

On Motion of the appellants by their attorney it is ordered that a writ of Certiorari be awarded to the Clerk of the Saline Circuit Court Commandin him to Send up a full & perfect transcript of the Record and proceedings in this Cause, returnable here at the next term of this Court, unto which time the Cause is ordered to be continued.

Friday May 6th 1836

Oliver D. Filley appellant
vs } on appeal
Elias W. Wells & Robert
Patterson appellees

Now at this day comes the appellant aforesaid by his attorney: whereupon all and singular the premises are by the said appellant submitted on his brief, & the Court not being yet advised what judgment to give in the premises take time to deliberate thereon

John Wilson appellant
vs } on appeal
Hugh Martin & others

On motion of the appellees by their attorney they have leave to join in Error, thirty days before the next term of this Court.

Dean & Hickman
vs } Error
Frederick A Bryan

The Defendant by his attorney joins in Error.

David White
vs } Error
Lewis Woodyear

This Cause is ordered to be continued until the next term of this Court.

Thomas Hardwick &
James Curl appellants
vs } on appeal
William Mann apee.

Now at this day come the parties aforesaid by their respective attornies aforesaid whereupon all and singular the premises are by them before the Court now here fully argued and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon

Wm G. Wilson applt
vs } on appeal
Edward M. Turner &
Samuel Brown

Now at this day come the parties aforesaid by their respective attornies, whereupon all and

Friday May 6th 1836

Singular the premises are by them before the Court Now here fully argued, & the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon

Silas King appellant
vs } on appeal
Skyler Ham appellee } Now at this day come the parties aforesaid by their respective attorneys aforesaid, whereupon all and singular the premises are by them before the Court Now here fully argued, & the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon

Daniel Colgan, appellant
vs } on appeal
Benjamin Sharp appellee } The said appellant by his attorney files his assignment of errors, & the appellee by his attorney joins in Error

The Court then adjourned until tomorrow Morning 8 Oclock.

Saturday May 7th 1836

The Court Met pursuant to adjournment

John McCulloch Esquire makes application for a license to practice Law in the Several Courts of Record of this State and having made proof of good Moral Character he is admitted to an Examination

Daniel Colgan, appellant
vs } on appeal
Benjamin Sharp appellee } Now at this day come the parties aforesaid by their respective attorneys aforesaid Whereupon all and

Saturday May 7th 1836

Singular the premises are by them before the Court now here fully argued, and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon

James Dempsey
vs } Error
James Harrison & Wm Glasgow } Now at this day Came the parties aforesaid by their respective attorneys aforesaid, whereupon all and Singular the premises are by them before the Court now here fully argued the Court not being yet advised what judgment to give in the premises take time to deliberate thereon

Woodson & Trigg, appellants
vs } On appeal
Sarah McClelland } By Consent of the parties this Cause is ordered to be continued until the next term of this Court & the appellants have until the first day of the next term to assign Errors

Jacob Fisher appellant
vs } On appeal
George Herndon appellee } Now at this day Comes the appellant aforesaid by his attorney aforesaid and the said appellant by his attorney aforesaid says he will not further prosecute his said appeal but voluntarily dismisses the same, therefore it is Considered by the Court here that the said Jacob Fisher take nothing by his said appeal and that the said George Herndon go thereof without day &c. And it is further considered that the said George Herndon recover against the said Jacob Fisher his costs & charges by him about his defence in this behalf laid out and expended and that he have thereof Execution

Saturday May 7th 1836

John Leffler &
Benjamin Stevens
vs } On Writ of Error
James Hannon &
Wm Glasgow

Now at this day Come the parties aforesaid by their respective attornies aforesaid, and the plaintiffs aforesaid by their attorney Say they will not further prosecute their writ of error aforesaid but voluntarily dismiss the Same Therefore it is Considered by the Court here that John Leffler & Benjamin Stevens take nothing by their Said Writ and that the Said James Hannon & William Glasgow go thereof without day — And it is further considered that the Said James Hannon & William Glasgow recover against the Said John Leffler & Benjamin Stevens their Costs & charges by them about their defence in this behalf laid out and expended & that they have thereof execution

Elias T. Mean &
Thomas Hickman
vs } Error
Frederick A. Bryan

Now at this day Come the parties aforesaid by their respective attornies aforesaid whereupon all and Singular the premises are by them before the Court now here fully argued, & the Court not being yet advised what judgment to give in the premises take time to deliberate thereon

Note. When this Cause come on to be tried Judge Mack retired from the Bench

Achilles Rogers
vs } Error
John Peyton

Now at this day comes the plaintiff aforesaid by his attorney & whereupon all and Singular the premises are by the Said plaintiff Submitted

Saturday May 7th 1836

on his Brief in the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon

The Court then adjourned until ~~tomorrow m~~ Monday Morning Nine O'Clock

Monday May 9th 1836

The Court met pursuant to adjournment

Charles McLean appellant
vs } On Appeal
John Thorpe appellee

Now at this day come the parties aforesaid by their respective attornies aforesaid whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said appellant above for error assigned being seen and heard and by the Court here fully understood and mature deliberation thereupon had, for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed And it is further considered by the Court here that the said Charles McLean recover against the said John Thorpe his Costs & charges by him about his appeal in this behalf laid out and expended and that he have thereof execution &c.

James Marsh plaintiff
vs } On writ of Error
William Turner &
Malachi Lisle

Now at this day come the parties aforesaid, by their respective attornies aforesaid, whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for Error assigned being seen and heard & by the Court here fully understood and mature

Monday May 9th 1836 —

deliberation thereupon had; for it appears to the Court here that in the record and proceedings aforesaid, and also in the giving the Judgment aforesaid it is manifestly erred; Therefore it is Considered by the Court here, that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled, & entirely for Nothing Esteemed — And it is further Considered by the Court here that the said James Marsh recover against the said William Turner & Malachia Lisle his Costs & charges by him about the prosecution of his Writ of Error in this behalf laid out and expended & that he have thereof Execution &c —

Thereupon the Cause is remanded to the circuit Court for the County of Carroll for further proceedings —

Jacob Baker appellant
vs } On appeal
John Welch appellee

Now at this day come the parties aforesaid by their respective attorneys aforesaid, whereupon as well the record and proceedings aforesaid and the Judgment thereupon given in the Matters aforesaid by the said appellant above for Error assigned being seen and heard by the Court here fully understood and mature deliberation thereupon had; for it appears to the Court here, that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly Erred; Therefore it is Considered by the Court here that the Judgment aforesaid for the Errors aforesaid and others in the record and proceedings aforesaid be reversed annulled, and entirely for Nothing Esteemed. And it is further Considered by the Court here that the said Jacob Baker recover against the said John Welch his costs & charges by him about his appeal in this behalf laid out and Expended & that he have thereof Execution —
Whereupon the Cause is remanded to the Circuit Court for the County of Clay for further proceedings —

on Monday May 9th 1836

Thomas Griffeth, Thomas W. Collins &
Elisha McClelland
vs } In writ of Error
The President & Directors
of the Bank of the
Commonwealth of Kentucky

Now at this day came the parties afore said by their respective attornies aforesaid, Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said Plaintiffs above for error assigned being seen & by the Court here fully understood, and mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid, and also in the giving the Judgment aforesaid it is manifestly erred; therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed And it is further considered by the Court here that the said Thomas Griffeth, Thomas W. ~~McClelland~~ Collins & Elisha McClelland recover against the President & Directors of the Bank of the Commonwealth of Kentucky their costs & charges by them about the prosecution of their writ of Error in this behalf laid out and expended and that they have thereof Execution.

Oliver D. Tilley, Appellant
vs } on appeal
Elias M. Nall, &
Robert Patterson

Now at this day came the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid, and the Judgment thereupon given as the matters aforesaid by the said appellant above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here, that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled & entirely for nothing esteemed

(Monday May 9th 1836

And it is further considered by the Court here that the Said Oliver D. Filley recover against the Said Elias W. Wall, & Robert Patterson his costs and charges by him about his appeal in this behalf laid out and expended & that he have there of Execution.

Whereupon the Cause is remanded to the Circuit Court for the of Greene with directions to that Court to dismiss the appeal.

Achilles Rogers
vs } In Error
John Drayton

Now at this Day Come the parties aforesaid by their respective attorneys aforesaid Whereupon as well the record & proceedings aforesaid and the Judgment thereupon given as the Matters aforesaid by the Said plaintiff above for error assigned being seen by the Court here fully understood and Mature deliberation thereupon had, for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is Manifestly Erred. Therefore it is Considered by the Court here that the Judgment aforesaid for the Errors aforesaid & others in the record & proceedings aforesaid be reversed annulled & Entirely for nothing Esteemed. And it is further Considered by this Court here that the Said Achilles Rogers recover against the Said John Drayton his Costs & charges by him about the prosecution of his writ of Error aforesaid in this behalf laid out and Expended & that he have thereof Execution.

Thomas Hardwick &
James Curl, appellants
vs } On appeal
William Mann apee

Now at this day Come the parties aforesaid by their respective attorneys aforesaid Whereupon as well the record and proceedings afore

Monday May 9th 1836

=Said and the Judgment thereupon given as the matters Aforesaid by the Said Appellant above for Error assigned being Seen and by the Court here fully understood and Mature deliberation thereupon had, for it appears to the Court here that in the record and proceedings Aforesaid, and also in the giving the Judgment aforesaid it is Manifestly Erred= Therefore it is Considered by the Court here that the Judgment aforesaid for the errors Aforesaid & others in the record and proceedings Aforesaid be reversed annulled and Entirely for Nothing Esteemed - And it is further Considered by the Court here That the Said Thomas Hardwick and James Curl recover against the Said William Mann their Costs & charges by them about their Appeal in this behalf laid out and Expended, and that they have thereof Execution &c. Whereupon the Cause is remanded to the Circuit Court for the County of Carroll for further proceedings.

William G. Wilson, appellant
vs } Appeal
Edward W. Turner & Samuel
Brown appellees

Now at this day come the parties aforesaid by their respective attorneys aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said appellant above for Error assigned being Seen and by the Court here fully understood and Mature deliberation thereupon had, for it appears to the Court here that in the record and proceedings aforesaid, and also in the giving the Judgment aforesaid it is Manifestly Erred Therefore it is Considered by the Court here that the Judgment aforesaid for the Errors aforesaid and others in the record and proceedings be reversed annulled & Entirely for nothing Esteemed - And it is further Considered by the Court here that the Said William G. Wilson recover against the Said Edward W. Turner & Samuel Brown his Costs & Charges by him about his appeal in this behalf laid out & Expended & that he have thereof Execution -

Monday May 9th 1836.

Silas King, appellant
vs On appeal
Skyler Hann appellee

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon As well the Record & proceedings aforesaid, and the Judgment thereupon Given, as the Matters aforesaid by the said appellant above for Error assigned being seen & by the Court here fully understood and Mature deliberation thereupon had, For it appears to the Court here that in the Record and proceedings aforesaid and also in the giving the Judgment aforesaid it is Manifestly Erred; Therefore it is considered by the Court here that the Judgment aforesaid for the Errors aforesaid & others in the Record and proceedings aforesaid be reversed annulled & Entirely for Nothing Esteemed: And it is further Considered by the Court here that the Said Silas King recover against the Said Skyler Han his Costs & charges by him about his appeal in this behalf laid out and Expended & that he have thereof Execution &c

James Dempsey
vs On Writ of Error
James Harmon &
William Glasgow

Now at this day come the parties aforesaid by their respective attornies aforesaid, whereupon as well the record and proceedings aforesaid and the Judgment thereupon Given as the Matters aforesaid by the said plaintiffs in above for Error assigned being Seen by the Court here fully understood and Mature deliberation thereupon had, For it appears to the Court here that in the Record and proceedings aforesaid & also in the giving the Judgment aforesaid it is Manifestly Erred; Therefore it is considered by the Court here, that the Judgment aforesaid for the Errors aforesaid & others in the Record and proc

Monday May 9th 1836

and proceedings aforesaid be reversed annulled and entirely for nothing Esteemed; And it is further Considered by the Court here that the Said James Dempsey recover against the Said James Harrison & William Glasgow his Costs & Charges by him about the prosecution of his Writ of Error aforesaid in this behalf laid out & Expended & that he have thereof Execution &c.

Whereupon the Cause is remanded to the Circuit Court for the County of Howard for further proceedings

Daniel Colgan, appellant
vs. } On appeal
Benjamin Sharp appellee

Now at this day come the parties aforesaid by their respective attorneys aforesaid Whereupon as well the record and proceedings aforesaid, as the Judgment thereupon given as the Matters aforesaid by the Said appellant above for Error assigned being Seen and by the Court here fully understood, and Mature deliberation thereupon had, for it appears to the Court here that in the record and proceedings aforesaid & also in the giving the Judgment aforesaid it is Manifestly Erred; Therefore it is Considered by the Court here that the Judgment aforesaid for the errors aforesaid & others in the record and proceedings aforesaid be reversed annulled & entirely for nothing Esteemed And it is further Considered by the Court here that the Said Daniel Colgan recover against the Said Benjamin Sharp his costs & charges by him about his appeal in this behalf laid out and Expended & that he have thereof Execution.

Whereupon the Cause is remanded to the Circuit Court for the County of Cole for further proceedings.

Monday May 9th 1836

John McCulloch Esquire who made application to this Court for a license to practise law in the Several Courts of Record in this State & produced Evidence of his Good Moral character, & having been Examined by the Judges of this Court & being found duly qualified it is ordered that he be Licensed to practise Law in the Several Courts of this State which License is now here Signed by the Court, and the Said John McCulloch took the oaths prescribed by Law.

Elias A Bean &
Thomas Ackman
vs } Error
Frederick A Bryan }

Now at this day come the parties aforesaid by their respective attorneys aforesaid And the Court not being yet advised what Judgment to give in the premises take time until the next term of this Court to deliberate thereon unto which time the Cause is ordered to be continued.

The Court allow to Gray Bynum clerk of this Court for Office rent from the Second Monday of September 1835, till the Second Monday of May 1836, & for Stationary for one year the Sum of Thirty Seven Dollars

The Court allow to Alfred M. Norman Sheriff for attending this Court, Services of Boy, Stationary &c, the Sum of fourteen Dollars and Seventy five cents

The court then adjourned until tomorrow morning 8 O clock

Tuesday May 10th 1836

The Court met pursuant to adjournment

The Court allow to Alfred W. Morrison one dollar fifty Cents for one additional days attendance on this Court.

Jacob Baker appellant
vs } On appeal
John Welch appellee } Now at this day come the parties aforesaid by their respective attornies aforesaid, whereupon the appellee by his attorney moves the Court for a reargument of this Cause which motion being Seen heard & by the Court here fully understood & mature deliberation thereupon had, it is considered that the Same be Sustained. Whereupon the Cause is ordered to be continued until the next term of this Court

The Court then adjourned until the next ~~Court~~ in Course —

The proceedings of this Term Commence at page 312 & End at page 330 & Contains 19 pages

Mic McGehee President

331 — Monday August 28th 1836—

State of Missouri towit-

On the first Monday after the fourth Monday of August it being the twenty eighth day of said month in the Year of our Lord one thousand eight hundred and thirty Six, & being the day appointed by law for holding the Supreme Court for the first Judicial District of said State, the Judges thereof not attending at the Court house, the court stood adjourned until tomorrow.

Tuesday August 29th 1836—

This day neither of the Judges having attended the court again stood adjourned until tomorrow.

Wednesday August 30th 1836.

This day a quorum of the Judges not having attended the court stood adjourned until the next court in course

8th May 1837. At a Supreme Court begun and held at the Town of Boonville within and for the first Judicial district of the State of Missouri on Monday the Eighth day of May in the year of our Lord one thousand eight~~een~~ hundred and thirty seven

were present,

The Hon. Matthias McGirk } a Quorum of
and George Tompkins } the Judges

Robert P Clark, clerk and
Jac. C. Woodward Sheriff

Gray Bynum produced here in court his account against the State of Missouri for one years office rent and for stationary amounting to the sum of fifty three dollars which is by the court allowed and certified

May 8th 1837

Rody (a woman of colour)
vs In error.
Jonathan Ramsey

The plaintiff in error by her attorney files her aſsignment of errors

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Amy a Woman of Colour
vs In error
Jonathan Ramsey

The plaintiff in error by her attorney files her aſsignment of errors—

Green L. Irvine administrator of Joseph Irvine dec'd
vs In Error
Young Ewing & William Jack admr of Joseph Irvine Jr. decd

The plaintiff in error by his attorney filed his aſsignment of errors—

Lina Helm
vs Appeal
John Wilson

The appellant by his attorney files his aſsignment in error—

John Wilson administrator of Ignatius P. Owen
vs Appeal—
William B. Woodruff

And now at this day comes the appellant by his attorney and, on his motion has leave to file his aſsignment in error in this cause to morrow—

State of Miſsouri—
vs Appeal
A. J. Featherly

On motion of the appellant by her attorney leave is given her to fille her aſsignment of errors on to morrow—

The Court adjourns un till to morrow morning 9. oclock—

May 9th 1837 Spring Term:

Tuesday morning May 9th 1837

The court met pursuant to adjournment.

Ebenezer Pomeroy — Appellant
vs } Appeal
James Donaldson Appellee

The appellant by his attorney files his assignment in err

Rhody a woman of Colour
vs } error —
Jonathan Ramsey

by his attorney the sd Defendant files here in court his motion to affirm the judgment of the circuit court in this cause because the plaintiff in error failed to cause the writ of error together with a transcript of the record and proceedings in the cause to be filed in this court at least ten days before the return of the writ

Amy a woman of Color
vs } in Error
Jonathan Ramsey

by his attorney the sd Defendant files here in court his motion to affirm the judgment of the Circuit Court in this cause because the plaintiff in error failed to cause the writ of Error together with a transcript of the record and proceedings in the cause to be filed with the clerk of this court at least ten days before the return term of the writ

Wiley C. Williams
vs } Appeal
The State of Missouri

The defendant in appeal by his attorney moves the Court to dismiss the appeal Because there is no law authorizing the state to appeal in this cause

Augustus Hartt
vs } In error } The plaintiff in erro
by his attorney files
Andrew Spence } his assignment in erro

Hiram G. Parks -
vs } Appeal } The defendants
by their attorneys
Amos Rees & others }
files their motion to affirm the judgment of the circuit court in this cause because the transcript of the proceedings [illegible] have not been filed in due time to wit - 10 days before the 1st day of the May Term of this court but on the 2nd day of said Term of this court -

Augustus Hart
vs } In error } The defendant in error joins in erro
Andrew Spence }

E. Pomeroy
vs } appeal } The appellee by his attorney joins in error —
J. Donaldson

Augustus Hart } The appellant
vs } appeal } by his attorney
Pleasant Robinett } files his assignment in error.

Elias N. Wear and
Thomas Hickman —
vs — Error
Frederick A. Bryan —

This cause is ordered to be continued untill the next Term of this Court

The Court adjourns untill Tomarrow morning 8 Oclock

Wednesday morning May the 10th 1837
Court met pursuant to adjournment

State of Missouri appellant
vs Appeal
J. Heatherly — appellee

And now at this day the appellee by his attorney moves the court to dismiss this appeal because 1st that the law does not allow to the state the right of appeal — 2nd That there was no sufficient affidavit to authorize the grant of the appeal —

Lina Helm . . . appellant
vs Appeal
John Wilson — appellee

The appellee by his attorney joins in error

John Wilson administrator of L P Owen decd — appellant
vs Appeal
William B. Woodruff appellee

The appellant by his attorney files his assignment in error

Woodson & Trigg
vs } In Error } The defendant in error by her attorney filed ~~her~~ joinder in error
Sarah McClelland

The Court ~~thus~~ adjourns untill 8 oclock tomorrow morning

Thursday morning May the 10th 1837
Court Met pursuant to adjournment

Hiram Parks ~~Plaintiff~~ Appellant
vs } Appeal
Amos Rees & others ~~Appellees~~

The said Defendants by their attorney having moved the Court to dismiss this appeal which motion being seen & heared & by the Court here fully understood it is considered that the same be overruled & this Cause is ordered to be continued untill next term.

Bennett C Clark produced to the Court sufficient evidence of his appointment and qualification as deputy clerk of the circuit cout of the County of Cooper.

John Willson administrator } Appellant
F J P Owen deceased
vs } Appeal
William B Woodruff Appellee
The appellee by his attornies files his joinder in error

May 11th 1837 Spring Term

Green J Irwin administrator of J J Irwin decd } Plaintiff
vs } Error
Fanny Ewing & Wm Jack Admrs of J Irwin Jr decd } Defendants

The defendants in error by their attorney files their joinder in error

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Wiley C Williams Appellant
vs } Appeal
The State of Miſsouri Appellee

The said appellant by his attorney with leave of the court withdraws his motion to dismiſs this appeal

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The State of Miſsouri Appellant
vs } Appeal
Morgan C Ellis Appellee

The Appellee by his attorney moves the court to dismiſs this appeal because there is no law authorizing the State to appeal in this cause

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Ebenezer Pomeroy Appellant
vs } Appeal
James Donaldson Appellee

The said appellant by his attorney suggests to the court a diminution of the record & moves the court for a certiorari to the clerk of the Ray County Circuit Court and thereupon it is ordered that a writ of certiorari be awarded to the said clerk of the circuit court of Ray County commanding him to send up a full & perfect transcript of the record & proceedings in this cause returnable here at the next term of this court until which time this cause is ordered to be continued

Spring Term 1837

John Miller & others Appellants
vs Appeal
Robert W. Wells Appellee
The appellants by their attorney filed their assignment in errors

Augustus Mant appellant
vs appeal
Pleas Robinett appellee
The appellee by his attorney files his joinder in errors

William C Janes Esquire makes application for a licence to practice law in the several Courts of record in this State and having made proof of good moral character he is admitted to an examination, and Peyton R Hayden Esquire is appointed by the Court to examine said applicant

John Miller & others ~~Plaintiff~~s
vs Error
Robt W Wells Defendant
The defendant in error by his attorney files his joinder in errors and this Cause is ordered to be continued unto the next Term of this Court.

Andrew Polk & Joseph Smith appellants
vs Apeal
James Tanner appellee
Ordered that this cause be continued unto the next Term of this Court

David White Plaintiff
vs Error
Lewis Woodyear Defendant
Ordered that the rule for Mandamus be dismissed

Ordered that Court adjourn until 8 oclock tomorrow morning.

Friday Morning May 12th 1837
Court met pursuant to adjournment.

Peyton R Hayden Esquire who was appointed to examine William C. Jones Esqr an applicant for Licence to practice law in this State reports to the Court that he has examined the said William C. Jones touching his knowledge of the law and believes him entitled to a Licence to practice Law in the several Courts of this State And it is therefore ordered that he be Licenced accordingly: whereupon the said William C Jones subscribed and took the oaths prescribed by law.

Rhody a woman of Colour Plaintiff
vs Error } motion to affirm
Jonathan Ramsey defendant

And now at this day comes the parties by their attornies and the said motion of the defendant to affirm the judgment of the Circuit Court being argued and all and singular the premises being seen and fully understood by the Court, It is considered by the Court that the same be overruled. It is further considered by the Court that the said Plaintiff recover against the said defendant his costs and charges by him about said motion laid out and expended.

Sindell Plaintiff
vs } Error
Johnson defendant } Ordered that this Cause be placed on the docket of this Court

Mordecai Lane Appellant
vs } Appeal
Elizabeth Price Appellee } Ordered that this Cause be placed on the docket of this Court

Rhody a woman of Colour Plaintiff
vs } Error
Jonathan Ramsey Defendant

The defendant in error by his attorney files his joinder in errors

Amy a woman of Colour Plaintiff
vs } Error
Jonathan Ramsey Defendant

The defendant in errors by his attorney files his joinder in errors

Ordered that Court adjourn until tomorrow morning 8 O'clock.

Saturday morning May 13th 1837 Court met pursuant to adjournment.

David Todd Esqr produced a Licence from the judges of the Supreme Court of the late Territory of Missouri. It is therefore ordered that he be placed on the Roll of attornies of this Court.

James A Reavis Plaintiff
vs } Error
David P. Mahon Defendant

The attorney for the Plaintiff in error moves the Court to dismiss this cause. It is therefore ordered by the Court that this cause be dismissed

The State of Missouri Plaintiff
vs }
John A. Talbot Defendant

Ordered that this cause be continued until the next Term of this Court.

Spring Term 1837

Washington Adams produced his Licence from the judges of the Supreme Court of this State. It is therefore ordered that he be placed on the roll of Attornies of this Court.

Ordered that the Sheriff of this County do procure for the use of this Court Six good Split bottom Chairs.

Augustus Hartt Appellant
vs } appeal
Pleasant Robinett Appellee

Ordered this this Cause be Continued until the next Term of this Court

Augustus Hartt Plaintiff
vs } Error
Andrew Spence Defendant

Ordered that this Cause be Continued until the next Term of this Court.

Ordered that Court adjourn until 10 O'clock Monday Morning next

Monday Morning May 15th 1837
Court met pursuant to adjournment

Wiley G Williams Appellant
vs } on Appeal
The State of Miſsouri Appellee

Now at this day comes the parties aforesaid by their respective attornies, aforesaid. whereupon as well the record and proceedings aforesaid and the judgment thereupon given, as the matters aforesaid by the said Appellant above for error aſsigned.

being seen, and by the Court, here fully understood, and mature deliberation being thereupon had for it appears, to the Court here that in the record and proceedings aforesaid and also in the giving the judgment, aforesaid it is manifestly erred. Therefore it is considered by the Court, here, that the judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed, And it is further considered by the Court here that the said appellant recover his against the said appellee his Costs and Charges by him about his suit in this behalf laid out and expended and thereof may have execution.

The State of Missouri } appellant
vs } appeal
Morgan C Ellis } appellee

And now at this day comes the parties aforesaid by their attornies aforesaid whereupon as well the record and proceedings aforesaid and the judgment thereupon given, as the matters aforesaid, by the said appellant above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the judgment aforesaid it is materially erred. Therefore it is considered by the Court here that the judgment aforesaid for the errors aforesaid and others in the record and proceeding aforesaid be reversed annulled and entirely for nothing esteemed and it is further considered by the Court here that the said State of Missouri recover against the said Morgan P Ellis her Costs and charges by her about this appeal in this behalf laid out and expended and that she have thereof execution. Whereupon the Cause is remanded to the said Circuit Court for the County of Carroll for further proceedings.

Green L Irvine administrator
of Joseph Irvin senr. decd
Pltff in Error
Young Ewing & William Jack
administrators of Joseph Irvin Jr decd

And now at this day came the parties aforesaid by their respective attornies aforesaid whereupon as well the record and proceedings aforesaid and the judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had, for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the judgment aforesaid there is no error. Therefore it is considered by the Court here that the judgment aforesaid given in form aforesaid be in all things affirmed and do stand in full force & effect the said causes for error above assigned and alleged in any wise notwithstanding. And It is further considered by the Court here that the said Young Ewing & William Jack recover against the said Green L Irvine their Costs and charges by them about their defence in this behalf laid out & expended to be levied of the goods and chattels which were of Joseph Irvine Senr deceased at the time of his death in his hands to be administered &c and thereof may have execution &c.

Jacob Baker Appellant
vs } Appeal
John Welch appellee

And now at this day comes the parties aforesaid by their respective attornies aforesaid whereupon as well the record and proceedings aforesaid and the judgment thereupon given as the matters aforesaid by the said appellant above for errors assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that there is no error either in the record and proceedings aforesaid or in the giving the judgment aforesaid. Therefore it is considered by the Court here that the judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the said causes of error above assigned and alleged in any wise notwithstanding and it is further considered that the said John Welch recover against the said Jacob Baker his costs and charges by him about his defence in this behalf laid out and expended & that he from then

Spring Term 1837

Amy a woman of colour
vs } In error
Jonathan Ramsey

And now at this day came the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the judgment thereupon given, as the matters aforesaid by the plaintiff aforesaid above for errors assigned being seen and by the Court here fully understood and mature deliberation being thereupon had it appears to the Court here that there is no error either in the record and proceedings aforesaid or in the giving the judgment aforesaid. Therefore it is Considered by the Court here that the judgment aforesaid in form aforesaid be in all things affirmed and stand in full force and effect, the said Causes above for error assigned and alledged in any wise notwithstanding. And it is further Considered that the said Jonathan Ramsey pay his own Costs in this behalf by him laid out & expended

Rhoda a woman of Colour
vs } In error
Jonathan Ramsey

And now at this day comes the parties aforesaid by their respective attornies aforesaid. Whereupon as well the record and proceedings aforesaid and the judgment thereupon given as the matters aforesaid by the plaintiff aforesaid above for error assigned being seen and by the Court here fully understood and mature deliberation being thereupon had, for it appears to the Court here that there is no error either in the record and proceedings aforesaid or in the giving the judgment aforesaid. Therefore it is Considered by the Court here that the judgment aforesaid in form aforesaid be in all things affirmed and stand in full force and effect the said Causes above for error aſsigned and alledged in any wise notwithstanding - And it is further Considered that the said Jonathan Ramsey pay his own Costs in this behalf by him laid out and expended.

Ordered that Court adjourn until tomorrow Morning 8 Oclock

Tuesday Morning May 16th 1837 the Court met pursuant to adjournment.

State of Miſsouri appellant
vs Appeal
John Heatherly appellee

This day Came the parties by their respective attornies, and the motion filed herein to dismiſs the appeal in this cause being seen and fully understood by the Court here It appears to the Court here that this Court has no jurisdiction of this appeal, It is therefore Ordered by the Court here that the appeal in this Cause be dismiſsed, wherefore it is considered by the Court here, that the said appellee recover against said appellant his costs and charges in this behalf by him laid out and expended &c

Warren Woodson &
Joseph Trigg admrs of
James McClelland decd Appellants
vs
Sarah McClelland Appellee

And now at this day comes the parties aforesaid by their attornies aforesaid, whereupon as well the record and proceedings aforesaid, and the judgment given in form aforesaid, as the matters aforesaid above for error assigned, being seen and by the Court now here fully understood and mature deliberation being thereupon had, it appears to the Court here that there is no error either in the record and proceedings aforesaid, or in giving the judgment aforesaid. Therefore it is Considered, that the judgment aforesaid in the form aforesaid given, be in all things affirmed, and stand in full force and effect, the several matters above for errors assigned in any wise notwithstanding. It is further Considered that the said Sarah McClelland recover against the said Warren Woodson and Joseph Trigg her costs and charges by her in this behalf laid out and expended and that she thereof have execution to be levied of the respective goods and Chattles of the said James McClelland deceased remaining in the hands of the said Warren Woodson & Joseph Trigg unadministered.

Lina Helm Appellant
vs Appeal
John McCilson Appellee

And now at this day comes the parties aforesaid by their attornies afforesaid whereupon as well the record and proceedings aforesaid and the judgment given in form aforesaid. as the matters aforesaid above for errors assigned, being seen and by the Court now here fully understood, and mature deliberation being thereupon had, it appears to the Court here that there is no error either in the record and proceedings aforesaid or in giving the judgment aforesaid. Therefore it is Considered, that the judgment aforesaid in form aforesaid given, be in all things affirmed, and stand in full force and effect, the several matters above for error assigned in any wise notwithstanding. And it is further Considered that the said John Wilson recover against the said Lina Adm his Costs and Charges by him in this behalf laid out and expended, and that he thereof have execution &c.

John Wilson - appellant
vs } appeal } Now at this day comes the parties aforesaid
Hugh Martin, & others

by their respective attornies aforesaid whereupon the Court not being sufficiently advised what judgment to give in the premises take time untill the next term of this court to deliberate thereon unto which time this cause is ordered to be continued, —

Green L. Irvine administrator
of Joseph Irvine dec'd
vs } In error
Young Ewing & William Jack,
administrators of Joseph Irvine jr dec'd

Now at this day come the parties aforesaid by their respective attornies, aforesaid whereupon the appellant by his attorney moves the Court for a reargument of this cause & files his motion therefor which motion being seen and heard

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& by the Court here fully understood and mature deliberation being thereupon had It is considered that the same be sustained: Whereupon it is ordered that the cause be continued untill the next term of this Court.

James Winston Esqr appeared in court and took the several Oaths required by law for an Attorney and Counsellor at law in this Court a copy of which oath subscribed by the said James Winston was this day filed in this court — he is therefore ordered to be enrolled on the roll of attornies in this Court—

Lee E. Woodward Esqr Sheriff of Cooper County produced in court his account against the State of Missouri for attendance on this court and for sundry Articles furnished this court this term the sum of twenty six Dollars & twelve & one half cents which was examined by the court allowed and ordered to be certified to the Auditor of public accounts,

Bennett C. Clark produced in court an account against the State of Missouri for removing the papers of the Supreme court & going to Fayette & the expences & travelling attending the same $10.75 which was examined and allowed by the court and ordered to be certified to the auditor of public accounts for payment

The court then adjourn till court in course—

The proceedings of this Term commence at page 331 and end at page 350—and contain twenty pages—

M. McGehee President
of the Court—